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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:16-cr-00146-GMN-PAL

8 Plaintiff,

9 v.

**ORDER**

10 AMMON BUNDY,

(Ex Parte Mot for Access – ECF No. 2276)

11 Defendant.

12 Before the court is Ammon Bundy's Emergency Ex Parte Motion for Additional  
13 Computer/Law Library Access (ECF No. 2276). The motion requests access to a computer in the  
14 law library for a total of eight hours a day. It also asks that he "be permitted to have access to the  
15 discovery at the same time and same location as some other Bundy defendants, at least part of the  
16 time, to facilitate greater efficiency in discovery review."

17 The court directed the United States Marshal Service ("USMS") to contact the appropriate  
18 personnel at the detention facility, the Nevada Southern Detention Center in Pahrump, and report  
19 back what access Mr. Bundy currently has to the law library and computer equipment and whether  
20 his request for a court order would interfere with the ability of other pretrial and other pro se  
21 detainees to have law library access. The USMS Detention Management Inspector reported that  
22 Ammon Bundy is currently housed in the AA unit because of his disruptive behavior. Individuals  
23 in the AA unit have access to the law library four hours a day for a total of 28 hours a week.  
24 Granting Ammon Bundy the amount of time requested would have the undesirable effect of taking  
25 library time away from other units and other detainees who want to use the law library and have  
26 access to computers.

27 The court frankly does not understand his second request. The court facilitated group  
28 defense meetings at the Pahrump facility to allow the defendants to prepare their defense nearly a

1 year ago. *See* Sept. 28, 2016 Order (ECF No. 687) (granting Mot. to Conduct Group Meeting  
2 (ECF No. 679)). Ammon Bundy did not join in the request to participate in joint defense meetings.  
3 *See id.* A subsequent motion was filed for an order allowing counsel and clients housed at the  
4 Pahrump facility to conduct group meetings. *See* Mot. to Conduct Group Meeting (ECF No. 914).  
5 Ammon Bundy was listed as one of the defendants requesting an order. The court entered and  
6 Order (ECF No. 917) granting the request October 28, 2016. The court was advised that certain  
7 defendants and/or their counsel stopped attending group defense meetings. On April 6, 2017, co-  
8 defendant Peter Santilli filed a second Motion to Sever (ECF No. 1833) arguing he did not want  
9 to be tried with co-defendants in Tier 1 because “other trial defendants except Cliven Bundy have  
10 decided it is more important to protest jail procedures they feel violate their rights instead of  
11 preparing for a defense in the upcoming case in which they are facing life in prison.” *Id* at 2.  
12 Under these circumstances Bundy’s request for access to discovery at the same time and place as  
13 other unnamed Bundy co-defendants is denied as vague and unintelligible.


14 Although the current motion does not explicitly say so, Bundy may be claiming he has not  
15 had access to the work product of the Coordinating Discovery Attorney. In April 2016, the court  
16 granted the request of 13 of the 19 defendants in this case to appoint a Coordinating Discovery  
17 Attorney (“CDA”) “to facilitate the efficient production of evidence, assist in resolving  
18 accessibility of digitally stored data, and provide expertise in dealing with copying issues or  
19 corrupted file issues and the like.” Ammon Bundy did not take a position with respect to whether  
20 a CDA should be appointed. At least two of the defendants who either disagreed that a CDA was  
21 needed or took no position subsequently requested and received an order allowing access to the  
22 work product and assistance of the CDA. Ammon Bundy has never requested access to the CDA’s  
23 enormously helpful searchable database. The CDA and his extensive, highly-skilled staff have  
24 been assisting all counsel for defendants who have requested his assistance, and pro se defendant  
25 Ryan Bundy, since the beginning of this case. The court has no idea why Bundy and his counsel  
26 have declined to take advantage of the CDA’s resources to date. However, to the extent Ammon  
27 Bundy’s counsel now wants access to the searchable database set up by the CDA and his staff, the  
28 court will grant his request.

1 Having reviewed and considered the matter,

2 **IT IS ORDERED** that Ammon Bundy's Emergency Ex Parte Motion for Additional  
3 Computer/Law Library Access (ECF No. 2276) is:

- 4 1. **DENIED** to the extent he is requesting access for more than four hours a day for a total  
5 of 28 hours a week.
- 6 2. **GRANTED** to the extent the CDA or his designee shall, upon request, provide counsel  
7 for Ammon Bundy with access to the searchable database, and a user name and  
8 password, as expeditiously as possible.

9 DATED this 1st day of September, 2017.

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12 PEGGY A. LEEN  
13 UNITED STATES MAGISTRATE JUDGE  
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